

REMARKS/ARGUMENTS

Upon entry of the instant amendment, claims 1-3 and 10 are pending¹. Claims 4-9 were previously cancelled. Claim 1 has been amended to more particularly point out the applicant's invention. It is respectfully submitted that upon entry of the amendment and consideration of the remarks below that the application is in condition for allowance.

Claim Rejections-Double Patenting

Claims 1 and 4-9 have been rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-6 of US Patent No. 6,686,592. Claims 4-9 were previously cancelled². Thus, the rejection is obviated with respect to claims 1-4. With respect to claim 1, a terminal disclaimer is enclosed. Accordingly, the Examiner is respectfully requested to reconsider and withdraw this rejection.

Claim Rejections- 35 USC § 102

Claims 1-3 and 10 have been rejected under 35 USC § 102 (b) as being anticipated by Leung et al US Patent No. 5,136,171 ("the Leung et al patent"). In order for there to be anticipation, each and every one of the elements of the claim must be found in a single reference. It is respectfully submitted that the claims include elements not disclosed or suggested by the Leung et al patent. For example, the claims now recite "one or more beam steerers" so that the one or more electron beams are "received" in the "one or more electron entrance apertures." The Leung et al patent teaches away from such a configuration. The Leung et al patent discloses an electron source for neutralizing charge buildup on the workpiece. The electron source disclosed in the Leung et al

¹ The Applicant notes that the Office Action Summary incorrectly indicates that claims 1-10 are pending when in fact only claims 1-3 and 10 are pending. The instant application was filed as a continuation of application no. 10/183,768, filed on June 26, 2002. Claims 4-9 were cancelled when the instant application was filed. The Examiner's attention is respectfully directed to the Continuing Patent Application Transmittal, filed on December 30, 2003 and specifically paragraph 18 ("Cancel in this application original claims 4-9 of the prior application...").

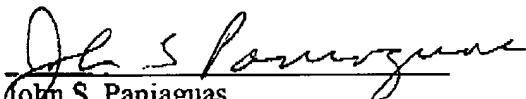
² See note 1

patent is separate from the ionized beam used for doping a semiconductor as clearly shown in Fig. 1 of the Leung et al patent. The chamber 200 illustrated in Fig. 11 is a vacuum chamber and not an ionization chamber. An ionization chamber is the chamber used to create the "ion beam", identified with the reference numeral 12 in Fig. 1 of the Leung et al patent ("The ion beam source 10 in a typical ion implantation system includes an ion source, an ion accelerator, ... and a mass analyzer..."; Leung et al patent, col. 5, line 66 to col. 6, line 2). As illustrated clearly in Fig. 1 of the instant application and described in paragraphs [0014] and [0024] thereof, the ion source includes an ionization chamber 44 which includes apertures 106a and 106b for receiving sources of electrons. Thus it should be clear that the electron source disclosed in the Leung et al patent is not an ionization chamber as used in the claims. In fact, the Leung et al patent describes the chamber 200 as a "vacuum chamber", Leung et al patent, col. 11, line 22. For all of the above reasons, the Examiner is respectfully requested to reconsider and withdraw this rejection.

Respectfully submitted,

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